

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NEAL SALES,

Plaintiff,

v.

KIM ADAMSON, *et al.*,

Defendants.

Case No. 317-CV-0186-RCJ-WGC

**ORDER TO TRANSPORT PLAINTIFF
AND ORDER TO TEST NDOC
INMATE FOR IN-PERSON COURT
PROCEEDINGS**

The Court scheduled an in-person Jury Trial on August 24, 2021, (ECF No. 147). IT IS ORDERED that the Nevada Department of Corrections (NDOC) shall transport inmate Neal Sales, NDOC #92248, to the Bruce R. Thompson Federal Courthouse, 400 S. Virginia Street, Reno, Nevada, to personally attend the Jury Trial scheduled for Tuesday, August 24, 2021, at 8:30 a.m. in Reno Courtroom Number 3 before the Honorable Robert C. Jones.

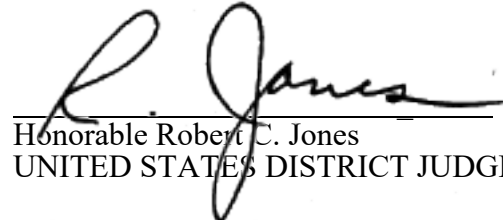
IT IS FURTHER ORDERED that the Nevada Attorney General's Office, in coordination with the NDOC, shall arrange for Plaintiff to be tested for COVID-19 within 14 days of the hearing and with Plaintiff's consent. Additionally, where practicable and depending on space availability, the NDOC should ensure Plaintiff is placed in quarantine following the test's administration and prior to the hearing to protect against further exposure before transport to court.

IT IS FURTHER ORDERD that, if Plaintiff does not consent to testing, or upon a positive test result, the Nevada Attorney General's Office shall immediately notify the presiding judge's courtroom administrator that Plaintiff cannot be transported to court for the hearing. The presiding judge will decide to either delay the hearing or hold the hearing by video.

1 IT IS FURTHER ORDERED that The Clerk of Court shall provide a courtesy copy of
2 this order to the U.S. Marshal's Office in Reno.

3 IT IS SO ORDERED.

4 DATED this 4th day of August, 2021.

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8 Honorable Robert C. Jones
UNITED STATES DISTRICT JUDGE
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COUNSEL/PARTIES OF RECORD	
MAY 28, 2021	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE: COVID-19 TESTING OF FEDERAL
PRETRIAL DETAINEES SCHEDULED FOR
IN-PERSON HEARINGS

**AMENDED TEMPORARY GENERAL
ORDER 2020-09**

On June 23, 2020, the Court issued Temporary General Order 2020-09 ("GO 2020-09") to direct the United States Marshals Services for the District of Nevada to ensure testing and quarantine measures are adopted to protect pretrial detainees, court staff, and the public from the spread of the coronavirus disease 2019 ("COVID-19") as the Court gradually resumes in-person hearings involving in-custody defendants. The Court now amends GO 2020-09 to modify these measures considering the availability of COVID-19 vaccines for pretrial detainees. Most federal criminal defendants detained pretrial are held at the Nevada Southern Detention Center ("NSDC") and the Washoe County Detention Facility ("WCDF"). The continued resumption of in-person hearings with in-custody defendants will require increased close contact with the United States Marshals Service, Pretrial Services, Probation, attorneys, and court personnel. To protect the health and safety of all and ensure the efficient administration of justice, as Chief Judge I hereby order that the United States Marshals Service for the District of Nevada ensures the following.

1. All federal detainees housed at NSDC, WCDF, and any other facilities, scheduled to appear for in-person court hearings are tested for COVID-19 before the hearing. Where practicable and depending on space availability, NSDC and WCDF must hold the detainee in quarantine following the test's administration and prior to the

1 hearing to protect against further exposure before transport to Court. Likewise, where
2 practicable and depending on space availability, the facilities must hold the detainee in
3 quarantine for 14 days, or an appropriate amount of time based on CDC guidance,
4 whichever period is shorter, following an in-person Court appearance to minimize the
5 risk of introducing new infection into NSDC or WCDF. However, federal detainees who
6 have been fully vaccinated may bypass the quarantine requirement.

7 3. As test results will not be available prior to initial court appearances, the
8 use of video conferencing, or telephone conferencing if video conferencing is not readily
9 available, remains appropriate for initial appearances, arraignments, detention hearings,
10 and preliminary hearings upon the consent of the defendant.¹

11 4. Defense counsel must notify the United States Marshals Service of any in-
12 person hearing for an in-custody defendant 7 days prior to the hearing to ensure NSDC
13 and WCDF have sufficient time to administer the test, and to avoid any unnecessary
14 testing for canceled or moved hearings.

15 This Order is effective until further notice.

16 DATED THIS 28th Day of May 2021.

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19 _____
20 MIRANDA M. DU, CHIEF JUDGE
21 UNITED STATES DISTRICT COURT FOR
22 THE DISTRICT OF NEVADA
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25 ¹Section 15002(b) of the CARES Act lists the events for which video or telephonic
26 conferencing is appropriate, and the Court has previously authorized their use. See
27 Temporary General Order 2020-05.